

seemed to be contradictory to the claims which depended therefrom.

In the response to that Office Action, mailed August 26, 1996 Applicants inserted the phrase "at least one" modifying the term protrusion into claim 17 and 30.

Applicants have now deleted the phrase "at least one" as modifying the term protrusion and request reconsideration of this rejection made earlier in the Office Action mailed April 25, 1996. Applicants do not believe that amended claims 17 and 30 are contradictory to claims 28, 29, 38 and 39. Notably, claims 17 and 30 now read "said block comprising a protrusion". The use of "comprising" transitional language indicates that the block may have one or more than one protrusion. Accordingly, a block having a first and second protrusion is not contradictory to the limitation now found in claims 17 and 30.

Applicants traverse the rejection of claims 17-49 for obviousness-type double patenting to the extent that it is maintained. Applicants have submitted a Terminal Disclaimer disclaiming that portion of the term of any patent to issue on this application which extends beyond the term of U.S. Patent Application Serial No. 08/680,919. Applicants have submitted this Terminal Disclaimer exclusively for purposes of overcoming the obviousness-type double patenting rejection.

Further, Applicants have also traversed the Examiner's rejection of claims 17, 18, 21-27, 30, 31, 33-41, and 43-49 as provisionally rejected for obviousness-type double patenting over U.S. Patent Application Serial No. 08/322,357. Applicants have submitted a Terminal Disclaimer for purposes of overcoming this rejection also.

Favorable reconsideration is respectfully requested.

Applicants note that in the Amendment and Response filed on August 26, 1996 there was a statement made on page 6 of that Response in the first full paragraph on that page regarding the angle of protrusion surfaces. To clarify the record, Applicants note that they believe there is no teaching within the specification of the cited patent applications regarding the use of angled protrusion sidewalls to ease manufacture or facilitate the interlocking of blocks. However, Applicants retract their statement that the specification and claims of U.S. Patent Applicant Serial Nos. 08/322,357 and 08/447,757 teach nothing of the angle of the protrusion surfaces. This is not the case as can be seen in at least the figures of U.S. Patent No. 5,490,363 which was U.S. Patent Application Serial No. 322,357, see Figs. 1-6.

Applicants apologize for any confusion that this assertion created.

CONCLUSION

Applicants respectfully request favorable reconsideration of all claims pending herein.

Respectfully submitted,

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